

## IN THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

### Listing of Claims:

1. (Currently amended): A system for selectively displaying content on a content display device at a content display site, comprising:

means for ascertaining instructions and/or data regarding the value to a content provider and/or the value to a content observer at the content display site of displaying each of a plurality of sets of content to the content observer and/or at the content display site; and

means for processing instructions and/or data for selecting one of the plurality of sets of content for display by the content display device in accordance with a criterion based on the values associated with the plurality of sets of content;

wherein: (1) the values associated with the plurality of sets of content are bid values that can vary for the same set of content based on a characteristic associated with the content observer at the content display site, (2) an ascertained physical characteristic regarding the content observer at the content display site ~~based at least in part on sensed data~~ is obtained based at least in part on data that is passively sensed without requiring interaction by the content observer at the content display site, and (3) the bid values and the ascertained characteristic are used in selecting one of the plurality of sets of content for display.

2. (Original): A system as in Claim 1, wherein the instructions and/or data regarding the value of displaying each of the plurality of sets of content further comprise instructions and/or data regarding the value of displaying a set of content to a content observer at the content display site having a specified identity and/or characteristic.

3. (Original): A system as in Claim 2, further comprising means for ascertaining the identity and/or a characteristic of a content observer at the content display site.

4. (Original): A system as in Claim 2, further comprising means for ascertaining the identity and/or a characteristic of a content observer observing the content display device at, or just prior to, the time of a content display opportunity, and wherein the value of displaying a set of content during the content display opportunity depends on the identity and/or the

characteristic of the content observer observing the content display device at, or just prior to, the time of a content display opportunity.

5. (Original): A system as in Claim 2, wherein the instructions and/or data regarding the value of displaying each of the plurality of sets of content further comprise instructions and/or data regarding the value of displaying a set of content to a plurality of content observers at the content display site of a specified number, having specified identities and/or having one or more specified characteristics.

6. (Original): A system as in Claim 1, wherein the instructions and/or data regarding the value of displaying each of the plurality of sets of content further comprise instructions and/or data regarding the value of displaying a set of content at a content display site having a specified identity and/or characteristic.

7. (Original): A system as in Claim 6, further comprising means for ascertaining the identity and/or a characteristic of the content display site.

8. (Original): A system as in Claim 1, wherein the instructions and/or data regarding the value of displaying each of the plurality of sets of content consist of instructions and/or data regarding the value to a content provider of displaying a set of content.

9. (Original): A system as in Claim 1, wherein the instructions and/or data regarding the value of displaying each of the plurality of sets of content consist of instructions and/or data regarding the value to a content provider and to a content observer of displaying a set of content.

10. (Original): A system as in Claim 1, wherein the value of displaying a set of content is ascertained and the selection of one of a plurality of sets of content for display occurs immediately prior to the time at which the selected set of content is to be displayed.

11. (Original): A system as in Claim 1, wherein the means for processing selects for display the set of content determined to have the highest value.

12. (Original): A system as in Claim 1, wherein:

a set of content must be selected for display at the content display site for each of a plurality of content display opportunities; and

the instructions and/or data for selecting one of a plurality of sets of content for display further comprise instructions and/or data for progressively scheduling for display sets of content in decreasing order of the value associated with display of the set of content.

13. (Original): A system as in Claim 1, wherein the instructions and/or data regarding the value of displaying each of the plurality of sets of content further comprise instructions and/or data regarding the value of displaying a set of content based on when the set of content is to be displayed.
14. (Original): A system as in Claim 13, wherein the instructions and/or data regarding the value of displaying a set of content based on when the set of content is to be displayed further comprise instructions and/or data regarding the value of displaying a set of content based on the number of times that the set of content has previously been displayed at a particular content display site and/or to a particular content observer.
15. (Original): A system as in Claim 13, wherein the instructions and/or data regarding the value of displaying a set of content based on when the set of content is to be displayed further comprise instructions and/or data regarding the value of displaying a set of content based on the frequency with which a set of content has been displayed at a particular content display site and/or to a particular content observer.
16. (Original): A system as in Claim 13, wherein the instructions and/or data regarding the value of displaying a set of content based on when the set of content is to be displayed further comprise instructions and/or data regarding the value of displaying a set of content based on an absolute time or times at which the set of content is to be displayed.
17. (Original): A system as in Claim 13, wherein the instructions and/or data regarding the value of displaying a set of content based on when the set of content is to be displayed further comprise instructions and/or data regarding the value of displaying a set of content based on a range of times during which the set of content is to be displayed.
18. (Original): A system as in Claim 13, wherein the instructions and/or data regarding the value of displaying a set of content based on when the set of content is to be displayed further comprise instructions and/or data regarding the value of displaying a set of content based on the temporal proximity of the prospective display of the set of content to the display of other content.
19. (Original): A system as in Claim 18, wherein the instructions and/or data regarding the value of displaying a set of content based on the temporal proximity of the prospective display of the set of content to the display of other content further comprise instructions and/or data regarding the value of displaying a set of content based on the temporal proximity of the prospective display of the set of content to another display of the same set of content.

20. (Original): A system as in Claim 18, wherein the instructions and/or data regarding the value of displaying a set of content based on the temporal proximity of the prospective display of the set of content to the display of other content further comprise instructions and/or data regarding the value of displaying a set of content based on the temporal proximity of the prospective display of the set of content to the display of content of a particular type.
21. (Original): A system as in Claim 18, wherein the instructions and/or data regarding the value of displaying a set of content based on the temporal proximity of the prospective display of the set of content to the display of other content further comprise instructions and/or data regarding the value of displaying a set of content based on the temporal proximity of the prospective display of the set of content to the display of another particular set of content.
22. (Original): A system as in Claim 13, wherein:  
content can be displayed simultaneously on a plurality of channels that can be selected by a content observer for display of content by the content display device; and  
the instructions and/or data regarding the value of displaying a set of content based on when the set of content is to be displayed further comprise instructions and/or data regarding the value of displaying a set of content based on how many and/or which of the plurality of channels will display the set of content at the same time.
23. (Original): A system as in Claim 1, wherein the instructions and/or data for selecting one of the plurality of sets of content for display further comprise instructions and/or data regarding when a set of content can or cannot be displayed.
24. (Original): A system as in Claim 1, wherein the plurality of sets of content comprise sets of secondary content that are displayed during a break in the display of a set of primary content or two sets of primary content.
25. (Original): A system as in Claim 1, wherein the plurality of sets of content comprise sets of secondary content that are displayed within the display of a set of primary content.
26. (Original): A system as in Claim 1, wherein the content display device comprises a television.
27. (Original): A system as in Claim 1, wherein the content display device comprises a computer display system.
28. (Original): A system as in Claim 1, wherein the content display device comprises a

radio.

29. (Original): A system as in Claim 1, further comprising means for receiving the plurality of sets of content at the content display site via a network.

30. (Original): A system as in Claim 29, further comprising a data storage device for storing the plurality of sets of content at the content display site.

31. (Original): A system as in Claim 30, wherein the means for processing is located at the content display site.

32. (Original): A system as in Claim 31, further comprising means for monitoring the display of sets of content by the content display device, wherein the means for monitoring is located at the content display site.

33. (Original): A system as in Claim 29, wherein the means for processing is located at the content display site.

34. (Original): A system as in Claim 1, further comprising a data storage device for storing the plurality of sets of content at the content display site.

35. (Original) A system as in Claim 1, wherein the means for processing is located at the content display site.

36. (Original): A system as in Claim 35, further comprising means for receiving via a network at the content display site the instructions and/or data for selecting one of a plurality of sets of content for display.

37. (Original): A system as in Claim 1, wherein the means for processing is located at a location remote from the content display site, the system further comprising means for transmitting the selected set of content to the means for receiving content via a network.

38. (Original): A system as in Claim 37, further comprising means for monitoring the display of sets of content by the content display device, wherein the means for monitoring is located at the content display site.

39. (Original): A system as in Claim 1, further comprising means for monitoring the display of sets of content by the content display device.

40. (Original): A system as in Claim 39, wherein the means for monitoring is located at the content display site.

41. (Original): A system as in Claim 39, further comprising means for monitoring the display of content by the content display device, and wherein the instructions and/or data regarding the value of displaying each of the plurality of sets of content further comprise instructions and/or data regarding the dependence of the value on previous content display by the content display device.

42. (Original): A system as in Claim 1, further comprising means for discerning a content observer's response to display of a particular set of content.

43. (Original): A system as in Claim 42, wherein compensation from a content provider for display of a particular set of content provided by the content provider is dependent on the discerned viewer response to display of the particular set of content.

44. (Currently amended): A method for selectively displaying content on a content display device at a content display site, comprising:

receiving a plurality of sets of content at the content display site;

receiving instructions and/or data regarding the value to a content provider and/or the value to a content observer of displaying a set of content to the content observer and/or at the content display site; and

processing instructions and/or data for selecting one of the plurality of sets of content for display to the content observer in accordance with a criterion based on the values associated with the plurality of sets of content;

wherein: (1) the values associated with the plurality of sets of content are bid values that can vary for the same set of content based on a characteristic associated with the content observer at the content display site, (2) an ascertained physical characteristic regarding the content observer at the content display site ~~based at least in part on sensed data~~ is obtained based at least in part on data that is passively sensed without requiring interaction by the content observer at the content display site, and (3) the bid values and the ascertained characteristic are used in selecting one of the plurality of sets of content for display.